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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

|                           |   |                                |
|---------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, | ) | No. CR-11-043 PJH              |
|                           | ) |                                |
| Plaintiff,                | ) | STIPULATED REQUEST TO CONTINUE |
|                           | ) | HEARING DATE TO MARCH 28, 2011 |
| v.                        | ) | AND TO EXCLUDE TIME UNDER THE  |
|                           | ) | SPEEDY TRIAL ACT               |
| JUAN FIGUEROA-ALVAREZ,    | ) |                                |
|                           | ) |                                |
| Defendant.                | ) | Date: March 1, 2011            |
|                           | ) | Time: 9:30 a.m.                |
|                           | ) | Court: Hon. Donna Ryu          |
|                           | ) |                                |
|                           | ) |                                |

The above-captioned matter is set on March 1, 2011 before Magistrate Judge Donna Ryu for a status hearing. The parties request that this Court continue the hearing to March 28, 2011 at 9:30 a.m. before Magistrate Judge Donna Ryu and that the Court exclude time under the Speedy Trial Act between March 1, 2011 and March 28, 2011.

Mr. Figureroa-Alvarez made his initial appearance less than one month ago. The government has provided discovery. The defense needs additional time to review the discovery, perform legal research, and obtain relevant records. In addition, the defense has made a

STIP. REQ. TO CONTINUE HEARING DATE TO MARCH 28, 2011 AND TO EXCLUDE TIME  
No. CR-11-043 PJH

1 supplemental discovery request of the government. The parties agree the ends of justice served  
2 by granting the continuance outweigh the best interests of the public and defendant in a speedy  
3 trial. Therefore, the parties further stipulate and request that the Court exclude time between  
4 March 1, 2011 and March 28, 2011 in accordance with the provisions of the Speedy Trial Act,  
5 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel.  
6

7  
8 DATED: February 24, 2011  
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11 /s/ Jennifer Gaspar  
JENNIFER GASPAR  
12 Special Assistant United States Attorney  
Counsel for United States  
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/s/ Ned Smock  
NED SMOCK  
Counsel for Juan Figueroa-Alvarez

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

|                           |   |                               |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, | ) | No. CR-11-043 PJH             |
|                           | ) |                               |
| Plaintiff,                | ) |                               |
|                           | ) |                               |
| v.                        | ) | ORDER GRANTING STIPULATED     |
|                           | ) | REQUEST TO CONTINUE HEARING   |
|                           | ) | DATE TO MARCH 28, 2011 AND TO |
| JUAN FIGUEROA-ALVAREZ,    | ) | EXCLUDE TIME UNDER THE SPEEDY |
|                           | ) | TRIAL ACT                     |
| Defendant.                | ) |                               |
|                           | ) |                               |
|                           | ) |                               |
|                           | ) |                               |
|                           | ) |                               |

The parties jointly requested that the hearing in this matter be continued from March 1, 2011 to March 28, 2011, and that time be excluded under the Speedy Trial Act between March 1, 2011 and March 28, 2011 to allow for the effective preparation of counsel, taking into account the exercise of due diligence, and continuity of defense counsel. Mr. Figureroa-Alvarez made his initial appearance less than one month ago. The government has provided discovery. The defense needs additional time to review the discovery, perform legal research, and obtain relevant records. In addition, the defense has made a supplemental discovery request of the government. For these stated reasons, the Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and defendant in a speedy trial. Good cause appearing therefor, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel.

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STIP. REQ. TO CONTINUE HEARING DATE TO MARCH 28, 2011 AND TO EXCLUDE TIME  
No. CR-11-043 PJH

1           **IT IS HEREBY ORDERED** that the status hearing in this matter is continued to March  
2 28, 2011 at 9:30 a.m. before Magistrate Judge Donna Ryu, and that time between March 1, 2011  
3 and March 28, 2011 is excluded under the Speedy Trial Act to allow for the effective preparation  
4 of counsel, taking into account the exercise of due diligence, and continuity of defense counsel.  
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6  
7 DATED: 2/25/2011

  
HON. DONNA RYU  
United States Magistrate Judge